UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

USCA Docket Number: 05-2822

USDC Docket Number: 04-cv-11420

Mark Broadley

v.

Mashpee Neck Marina, Inc.,

CLERK'S SUPPLEMENTAL CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered 41 are original pleadings to be included with the record on appeal in the above entitled case.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on January 24, 2006.

Sarah A. Thornton, Clerk of Court

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled

case is hereby acknowledged this date:

Deputy Clerk, US Court of Appeals